

10/500895

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT04 Rec'd PCT/PTO 07 JUL 2004

#2

Applicants: Bugianesi, et al.

Serial No. To be assigned

Filed:

For: N-BENZYL PYROLIDINE AND N-BENZYL AZETIDINE
CARBOXYLATES, PHOSPHINATES,
PHOSPHONATES AND TETRAZOLES AS EDG
RECEPTOR AGONISTS

Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT 7-7-04
EXPRESS MAIL NO. E19895960103
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450.
MAILED BY Chris Chapman
DATE July 7, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By _____ Date _____

INFORMATION DISCLOSURE STATEMENT

10/500895

DT04 Rec'd PCT/PTO 07 JUL 2004

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Raynard Yuro

Attorney _____ For Applicant(s)

Reg. No. 45,570

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-0182

Date: July 7, 2004

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETELY KNOWN To be assigned: 10/500895 07 JUL 2004		
			Application Number		
			Filing Date		
			First Named Inventor Bugianesi, et al.		
			Group Art Unit		
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number 21013P	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <i>(if known)</i>		
		5,495,046		Nakazato et al.	02/27/1996
		2002/0042443		Day et al.	04/11/2002
		6,437,165		Mandala et al.	08/20/2002

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code <i>(if known)</i>	
			WO 01/38325 A1		Takeda Chemical Industries, Ltd.
					05/31/2001

Examiner Signature		Date Considered	
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